

**MINUTES**

**MONTANA SENATE  
58th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By **CHAIRMAN DALE MAHLUM**, on January 8, 2003 at 9:03 A.M., in Room 422 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Dale Mahlum, Chairman (R)  
Sen. Mike Sprague, Vice Chairman (R)  
Sen. Sherm Anderson (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Kelly Gebhardt (R)  
Sen. Ken (Kim) Hansen (D)  
Sen. Sam Kitzenberg (R)  
Sen. Glenn Roush (D)  
Sen. Don Ryan (D)  
Sen. Carolyn Squires (D)

**Members Excused:** Sen. Bob Keenan (R)  
Sen. Fred Thomas (R)

**Members Absent:** None.

**Staff Present:** Sherrie Handel, Committee Secretary  
Eddy McClure, Staff Attorney, Legislative Services Division

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted:  
Executive Action: SB 36; SB 26; SB 28

**{Tape: 1; Side: A}**

**EXECUTIVE ACTION ON SB 36**

**Motion:** SEN. COCCHIARELLA moved that SB 36 DO PASS AS AMENDED.

**Discussion:** SEN. COCCHIARELLA and Eddy McClure explained the results of the sub-committee's meeting and the ensuing amendments (SB003601.aem) **EXHIBIT**(bus03a01) .

**Vote:** Motion carried unanimously.

**EXECUTIVE ACTION ON SB 26**

**Motion:** SEN. MAHLUM moved that SB 26 DO PASS. **Motion:** SEN. SPRAGUE moved that SB 26 DO PASS AS AMENDED.

**Discussion:** SEN. RYAN raised concerns about the term, "intentional violation" causing the burden of proof extremely difficult to prove. Ms. McClure explained that the definition is a legal term that means it couldn't just happen through negligence; the law had to be intentionally violated.

**Vote:** Motion passed as amended 9-1 with SEN. RYAN voting no on the amendment.

**EXECUTIVE ACTION ON SB 28**

**Motion/Vote:** SEN. SPRAGUE moved that SB 28 DO PASS AS AMENDED. Motion carried 9-1 with SEN. RYAN voting no.

**ADJOURNMENT**

Adjournment: 11:15 A.M.

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SEN. DALE MAHLUM, Chairman

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SHERRIE HANDEL, Secretary

DM/SH